

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-9 are presently active in this case.

In the outstanding Office Action, Claims 1-4 were rejected under 35 USC §102(e) as being anticipated by Manabe et al (U.S. 6,570,639); Claims 5-6 and 7 were rejected under 35 USC §103(a) as being unpatentable over Manabe et al in view of Nishida et al (U.S. 6,842,207); and Claims 7-8 were rejected under 35 USC §103(a) as being unpatentable over Manabe et al in view of Huh et al (US 2003/0218703).

Applicant respectfully traverses the outstanding rejection of Claims 1-4 under 35 USC §102(e) as being anticipated by Manabe et al. on the basis that this reference does not teach each feature stated in the rejected claims. In particular, it is respectfully submitted that the liquid crystal display device of Manabe et al is not composed of a “first pixel with a first gap” and a “second pixel with a second gap that is smaller than the first gap,” and Manabe et al. include no such teaching. Furthermore, it is respectfully submitted that Manabe et al fail to teach a “columnar spacer for creating the second gap, the columnar spacer being disposed not at the first pixel but at the second pixel, as claimed.”

On the contrary, according to the teachings of Manabe et al, blue, green and red pixels, respectively, are provided with a gap of a same size, as is evident from the disclosure at column 4, lines 13-15 that color filter layers 24G, 24B and 24R, respectively, have the same thickness of about 3.0 μm . The outstanding Official Action identifies the element SP (namely, a shield pattern) as the “second pixel with a second gap.” However, as is clear from FIG 1A, this region corresponds to a shield area, and not a display area. In other words, the element SP identified in the outstanding Official Action as the “second pixel with a second gap” does not correspond to a “pixel.” Further, the outstanding Official Action identifies that “a columnar spacer for creating the second gap” is disposed at the “second pixel” which is

represented by the element SP. However, Manabe et al do not describe this feature, or indicate it in the drawings. Therefore, this latter finding stated in the outstanding Official Action is believed to be incorrect, and it is respectfully submitted that the claimed invention is clearly different and not anticipated by the disclosure of Manabe et al. Accordingly, it is respectfully submitted that the outstanding rejection of Claims 1-4 under 35 USC §102(e) as being anticipated by Manabe et al. is based on an erroneous interpretation of the teachings of Manabe et al. and withdrawal of this rejection is believed to be in order and is respectfully requested.

Applicant further respectfully traverses the outstanding rejection of Claims 5-6 and 9 under 35 USC §103(a) as being unpatentable over Manabe et al and Nishida et al and the outstanding rejection of Claims 7 and 8 under 35 USC §103(a) as being unpatentable over Manabe et al and Huh et al. In that regard, Applicant points out that according to the present invention, by disposing a spacer at a pixel with a relatively small gap, the spacer can be formed in a good shape, which ensures sufficient support strength for the spacer.

In contrast, Nishida et al disclose an LCD composed of R, G, and B pixels wherein gaps of each R, G, and B pixel are different. However, Nishida et al do not disclose a “columnar spacer for creating the second gap, the columnar spacer being disposed not at the first pixel but at the second pixel,” as stated in Claim 1. Further, Huh et al also disclose an LCD composed of R, G, and B pixels wherein gaps of each R, G, and B pixel are different. However, Huh et al provide no description of a spacer, and thus clearly do not remedy the deficiencies of the above discussed references.

Accordingly, even considering the combination of teachings provided by Manabe et al and Nishida et al or Manabe et al and Huh et al, it is respectfully submitted that the claimed structure directed to a “columnar spacer for creating the second gap, the columnar spacer

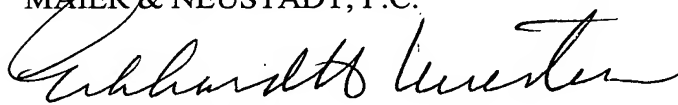
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being disposed not at the first pixel but at the second pixel," is in no way rendered obvious by the cited references.

Consequently, in view of the above discussion, it is respectfully submitted that the pending claims patentably define over the cited references and are in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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